

REMARKS

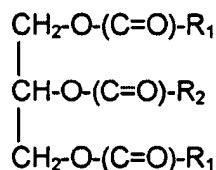
Claims 1-11 have been canceled without prejudice or disclaimer. Claims 12-28 have been added. There is no new matter added.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

I. The Rejection of Claims 1-10 under 35 U.S.C. 102

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Proelss (U.S. Patent No. 4,347,313). This rejection is respectfully traversed.

Proelss discloses a test for determining lipase activity wherein trilinolein or an equivalent thereof is employed as a substrate. At column 3, line 64 – column 4, line 47, Proelss discloses that equivalents of trilinolein are natural or synthetic, simple or mixed triglycerides (triacylglycerols). The structure of a qualifying triglyceride is



wherein R_1 is $(\text{CH}_2)_{\eta}\text{-(CH}_2\text{-CH}_2\text{-CH}_2\text{)}_2\text{-(CH=CH-CH}_2\text{)}_2\text{-CH}_2\text{-CH}_2\text{-CH}_2\text{-CH}_3$ and η is 1, 3 or 5 for naturally occurring and 1, 2, 3, 4 or 5 for synthetic fatty acids and R_2 is any saturated or (poly)unsaturated fatty acid alkyl chain.

However, Proelss do not disclose or suggest the use of a phospholipid, a lysophospholipid or a galactolipid; a sterol ester; a wax ester; an aryl ester or a mono- or diamide as a substrate, as claimed herein. These substrates can be used to determine activities which are not taught or suggested in Proelss.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 102. Applicants respectfully request reconsideration and withdrawal of the rejection.

II. The Rejection of Claim 11 under 35 U.S.C. 103

Claim 11 is rejected under 35 U.S.C. 103 as being unpatentable over Proelss in view of Gay et al. (1999, *Analytical Biochemistry* 273: 149-155). This rejection is respectfully traversed.

As discussed above, Proelss discloses a test for determining lipase activity wherein trilinolein or an equivalent thereof is employed as a substrate.

However, Proelss do not disclose or suggest the use of a phospholipid, a lysophospholipid or a galactolipid; a sterol ester; a wax ester; an aryl ester or a mono- or diamide as a substrate, as claimed herein. These substrates can be used to determine activities which are not taught or suggested in Proelss.

Gay et al. disclose a hydroperoxide assay with the ferric-xylenol orange complex. However, Gay et al. also do not teach or suggest the use of a phospholipid, a lysophospholipid or a galactolipid; a sterol ester; a wax ester; an aryl ester or a mono- or diamide as a substrate to determine enzyme activities.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 103. Applicants respectfully request reconsideration and withdrawal of the rejection.

III. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

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